

**THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

DATE 4/20/2023

DISTRICT JUDGE
Amos L. Mazzant, III

COURT REPORTER: Chris Bickham
COURTROOM DEPUTY: Keary Conrad

UNITED STATES OF AMERICA	
V.	CASE NUMBER 4:20CR212
DEBRA MERCER-ERWIN (1)	
ATTORNEY FOR GOVERNMENT	ATTORNEY FOR DEFENDANT
Ernest Gonzalez, Heather Rattan and Lesley Brooks, AUSA	Matthew Cyran, Joe White, Kate White

On this day, came the parties by their attorneys and the following proceedings were held in Sherman, TX:

TIME:	MINUTES: Jury Trial – Day 7
8:36 a.m.	Court in session. Court notes appearance of counsel.
8:37 a.m.	Special Agent Marcus West reminded by the Court he is still under oath. Government AUSA Ernest Gonzalez continues direct examination of Special Agent Marcus West.
8:53 a.m.	Government AUSA Ernest Gonzalez offers Government Exhibit 98D. Defendant objection to relevance. Government Exhibit 98D is admitted.
9:00 a.m.	Pass the witness. Defendant's counsel, Joe White begins cross examination of Special Agent Marcus West.
9:41 a.m.	Pass the witness. Government AUSA Ernest Gonzalez begins re-direct examination of Special Agent Marcus West.
9:52 a.m.	Pass the witness. Defendant's counsel, Joe White begins re-cross examination of Special Agent Marcus West.
9:57 a.m.	Witness excused. Government AUSA Heather Rattan calls DEA Special Agent Alexander Walker. Forensic Chemist. Witness placed under oath. Government AUSA Heather Rattan begins direct examination of Alexander Walker.
10:04 a.m.	Government AUSA Heather Rattan offers Government Exhibit 55F. Defendant objects to relevance. Government Exhibit 55F is admitted.
10:11 a.m.	Pass the witness. Defendant's counsel, Joe White begins cross examination of DEA Special Agent Alexander Walker.
10:12 a.m.	Witness excused.
10:13 a.m.	Jury excused.
10:14 a.m.	Court inquires of the timing of the trial and a timeline from the Parties regarding estimates to get the case to the jury. Parties agree by next Wednesday/Thursday.
10:16 a.m.	Court recess.
10:31 a.m.	Court re-convened. Jury seated.

10:34 a.m.	Government AUSA Heather Rattan calls DEA Senior Forensic Chemist Paul Kusko. Witness placed under oath. AUSA Rattan begins direct examination of Kusko.
10:36 a.m.	Government AUSA Heather Rattan offers Government Exhibits 98C and 54H.
10:36 a.m.	Bench conference.
10:39 a.m.	Court overrules Defendant's objection. Government Exhibit 54H and 98C are admitted.
10:54 a.m.	Pass the witness. Defendant's counsel, Joe White begins cross examination of DEA Senior Forensic Chemist Paul Kusko.
11:06 a.m.	Pass the witness. Government AUSA Heather Rattan begins re-direct examination of DEA Senior Forensic Chemist Paul Kusko.
11:09 a.m.	Witness excused.
11:10 a.m.	Government AUSA Ernest Gonzalez calls Julio Cesar Olivas-Felix. Witness placed under oath. Government AUSA Ernest Gonzalez begins direct examination of Julio Cesar Olivas-Felix. The witness was assisted by Spanish interpreter, Monica Munera.
11:33 a.m.	Government AUSA Ernest Gonzalez offers Government Exhibit 105. No objection. Government Exhibit 105 is admitted.
11:40 a.m.	Pass the witness. Bench conference at request of Defendant's counsel, Joe White.
11:45 a.m.	Jury excused.
11:47 a.m.	Bench conference.
11:48 a.m.	Court recess for lunch.
12:48 p.m.	Court re-convened. Jury seated.
12:48 p.m.	Defendant's counsel, Joe White begins cross examination of witness, Julio Cesar Olivas-Felix. The witness was assisted by Spanish interpreter, Marie Steilen.
12:50 p.m.	Witness excused.
12:50 p.m.	Government AUSA Ernest Gonzalez calls Ronny Ariel Chacon-Lopez. Witness placed under oath. AUSA Gonzalez begins direct examination of Ronny Ariel Chacon-Lopez. The witness was assisted by Spanish interpreter, Monica Munera.
12:57 p.m.	Government AUSA Gonzalez offers powerpoint presentation of witness, Ronny Chacon-Lopez as demonstrative exhibit only. No objection. Court allows powerpoint to be used for demonstrative purposes.
1:21 p.m.	Pass the witness. Defendant's counsel, Joe White begins cross examination of witness, Ronny Chacon-Lopez.
1:22 p.m.	Witness excused.
1:22 p.m.	Government AUSA Heather Rattan calls Norman Alexis Garcia-Flores. Witness placed under oath. AUSA Rattan begins direct examination of Norman Alexis Garcia-Flores. The witness was assisted by Spanish interpreter, Marie Steilen.
	Government AUSA Heather Rattan offers 54B, 54D, and 54E. Defendant objects to foundation and relevance. Objection overruled. Government Exhibits 54B, 54D, and 54E are admitted.
1:53 p.m.	Pass the witness. Defendant's counsel, Joe White begins cross examination of Norman Alexis Garcia-Flores.
2:05 p.m.	Witness excused.
2:05 p.m.	Government AUSA Heather Rattan calls HSI Special Agent, Dustin Wall. Witness placed under oath. Government AUSA Heather Rattan begins direct examination of HSI Special Agent, Dustin Wall.
2:09 p.m.	Government AUSA Heather Rattan offers 54G and 65H. No objection. Government Exhibits 54G and 65H are admitted.

2:10 p.m.	Pass the witness. Defendant's counsel, Joe White begins cross examination of HSI Special Agent Dustin Wall.
2:14 p.m.	Government AUSA Heather Rattan calls Leslly Franzoli Cortez Avila. Witness placed under oath. Government AUSA Heather Rattan begins direct examination of Leslly Franzoli Cortez Avila. The witness was assisted by Spanish interpreter, Marie Steilen.
2:29 p.m.	Government AUSA Heather Rattan offers 65B and 65D. Objection to relevance. Government Exhibits 65B and 65D are admitted.
2:38 p.m.	Pass the witness. Defendant's counsel, Joe White begins cross examination of Leslly Franzoli Cortez Avila.
2:42 p.m.	Witness excused.
2:42 p.m.	Government AUSA Heather Rattan calls DEA Senior Forensic Chemist Scott Wischnewsky. Witness placed under oath. Government AUSA Heather Rattan begins direct examination of DEA Senior Forensic Chemist Scott Wischnewsky.
2:49 p.m.	Government AUSA Heather Rattan offers Government Exhibits 65G, 65H, 73H, and 73I. Defendant objects to relevance. Government Exhibits 65G, 65H, and 73I are admitted. Government Exhibit 73H is conditionally admitted.
2:53 p.m.	Pass the witness. Defendant's counsel, Joe White begins cross examination of DEA Senior Forensic Chemist Scott Wischnewsky.
2:58 p.m.	Witness excused.
2:58 p.m.	Court requests Defendant's counsel return redacted PSR provided to counsel. Court warns Defendant's counsel regarding proper decorum. Court advises Defendant's counsel that he will be held in contempt and sanctioned.
3:00 p.m.	Jury excused.
3:03 p.m.	Court recess for 15 minute break.
3:15 p.m.	Court re-convened.
3:17 p.m.	Court hears from AUSA Ernest Gonzalez regarding witness to testify and a powerpoint to be used for demonstrative purposes only. No objection by defense.
3:18 p.m.	Jury seated.
3:19 p.m.	Government AUSA Ernest Gonzalez calls Detective Hernan Alexis Ochoa. Witness placed under oath. AUSA Gonzalez begins direct examination of Detective Hernan Alexis Ochoa. The witness was assisted by Spanish interpreter, Monica Munera.
3:32 p.m.	Government AUSA Ernest Gonzalez offers Government Exhibit 66D. Defendant objection to relevance. Government Exhibit 66D is admitted.
3:41 p.m.	Pass the witness. Defendant's counsel, Joe White begins cross examination of Detective Hernan Alexis Ochoa.
3:44 p.m.	Witness excused.
3:46 p.m.	Government AUSA Ernest Gonzalez calls Special Agent Eduardo Escobar, Department of Homeland Security. Witness placed under oath. AUSA Gonzalez begins direct examination of Special Agent Eduardo Escobar.
3:56 p.m.	Government AUSA Ernest Gonzalez offers 73B. Defendant objects to relevance. Objection overruled. Government Exhibit 73B is admitted.
3:56 p.m.	Government AUSA Ernest Gonzalez offers 73D. Defendant objects to relevance. Objection overruled. Government Exhibit 73D is admitted.
4:04 p.m.	Pass the witness. Defendant's counsel, Joe White begins cross examination of Special Agent Eduardo Escobar.
4:15 p.m.	Witness excused.

4:16 p.m.	Government AUSA Ernest Gonzalez calls Lieutenant Colonel Alex Humberto Landino Tellez. Witness placed under oath. AUSA Gonzalez begins direct examination of Lieutenant Colonel Alex Humberto Landino Tellez. The witness was assisted by Spanish interpreter, Marie Steilen.
4:43 p.m.	Pass the witness. Defendant's counsel, Joe White begins cross examination of Lieutenant Colonel Alex Humberto Landino Tellez.
4:53 p.m.	Witness excused.
4:53 p.m.	Jury excused.
4:54 p.m.	Parties confer regarding witness line-up for tomorrow.
4:56 p.m.	Court adjourned.
	Govt Exhibits Admitted: 54B, 54D, 54E, 54G, 54H, 55F (fully), 65B, 65D, 65G, 65H, 66D, 73H, 73I, 98C, 98D, 105 Deft Exhibits Admitted:

DAVID O'TOOLE, CLERK

BY: Keary Conrad
Courtroom Deputy Clerk